

1 STEVEN G. KALAR
Federal Public Defender
2 ELIZABETH M. FALK
Assistant Federal Public Defender
3 19th Floor Federal Building
450 Golden Gate Avenue
4 San Francisco, CA 94102
(415) 436-7700
5
6 Counsel for Defendant DAVARIS
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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| | | |
|------------------------------|---|--------------------------------------|
| 12 UNITED STATES OF AMERICA, |) | CR No. 12-850 EMC |
| |) | |
| 13 Plaintiff, |) | |
| |) | STIPULATION AND [PROPOSED] |
| 14 v. |) | ORDER CONTINUING HEARING DATE |
| |) | |
| 15 JOHN DAVARIS |) | Date: August 7, 2013 |
| |) | Time: 2:30 p.m. |
| 16 Defendant. |) | Court: The Honorable Edward M. Chen |
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19 **STIPULATION**

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21 The parties agree to continue the status conference in the above-captioned matter from
22 August 7, 2013 until August 21, 2013 at 2:30 p.m. Defense counsel needs time to review the
23 revised plea offer with her client and/or try to resolve the case with a counteroffer.

24 Assistant United States Attorney Acadia Senese has no objection to continuing the status
25 conference to August 21, 2013, as evidenced by her signature at the conclusion of this
26 stipulation.

27 Both the defendant and the government represent that good cause exists to exclude time
28 under the Speedy Trial Act, including the effective preparation of counsel. *See* 18 U.S.C. §

STIPULATION & [PROPOSED] ORDER CONTINUING HEARING DATE
CR 12-850 EMC

1 3161(h)(7)(B)(iv). As the parties are not sure that the case will resolve, investigation for trial and
2 motion research is ongoing on the part of defense counsel. For the same reasons, the parties also
3 request that the Court exclude from the time limits of 18 U.S.C. § 3161 the period from the date
4 of this Order through August 21, 2013. The parties also agree that the ends of justice served by
5 granting such an exclusion of time outweigh the best interests of the public and the defendant in
6 a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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8 IT IS SO STIPULATED

9
10 DATED: 8/07/13

_____/S/_____
ELIZABETH M. FALK
Assistant Federal Public Defender

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14 DATED: 8/07/13

_____/S/_____
ACADIA SENESE
Assistant United States Attorney

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17 ~~PROPOSED~~ [PROPOSED] ORDER

18 Based upon the aforementioned representations of the parties, it is hereby ORDERED
19 that the status conference in this matter be continued to August 21, 2013 at 2:30 p.m. For the
20 reasons stated, the Court hereby excludes from the time limits of 18 U.S.C. § 3161 the period
21 from the date of this Order through August 21, 2013. The Court finds that the ends of justice
22 served by granting such an exclusion of time outweigh the best interests of the public and the
23 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)

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25 DATED: 8/7/13 _____

26
27 THE HONORABLE JUDGE
UNITED STATES DISTRICT COURT

